REMARKS

Applicants gratefully acknowledge the courtesy extended by Examiners Harle and her supervisor in extending personal and telephonic interviews with Applicants' representatives.

Claims 15, 17-19 and 21-29 remain in the application. No new matter has been added.

Rejections under 35 USC 102 - Public Use

Applicants gratefully acknowlege the indication from Examiner Harle during the personal interview that the filing under 37 CFR 1.114 in the RCE overcomes the prior rejections based upon Public Use.

Claim Rejections - 35 USC 101

During the personal interview, the possibility of a rejection under 35 USC 101 was discussed due to the inclusion of human being (an intensivist) in the claims. By the present Supplemental Amendment, reference to intensivists have been removed from the claims to proactively address this issue.

Additional Issues

As suggested by Examiner Harle during the personal interview, Applicants have amended the claims to include the proactive nature of the intervention in a more definite manner. Support for the evidence-based data-driven feedback presently claimed is found at least at page 9, lines 7-10 in the specification.

Additionally, as suggested by the Examiner, the term "electronically connected" has been replaced with "transmitting voice *and data*" to exclude ordinary telephone calls. New claims 28-29 add video transmission.

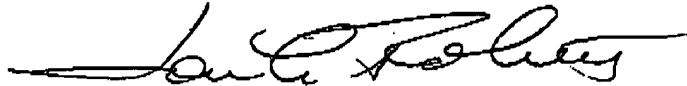December 23, 2002   Atty. Docket No. 2484-001

Conclusion

For the reasons cited above, Applicants submit that claims 15,17-19 and 21-29 are in condition for allowance and requests reconsideration of the application. If there remain any issues that may be disposed of via a telephonic interview, the Examiner is kindly invited to contact the undersigned at the local exchange given below.

Respectfully submitted,

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MARKED-UP VERSION SHOWING CHANGES MADE

In the claims:

The claims were amended as follows:

15.   (Twice amended) A system for providing continuous[,] and proactive expert network health care services from a remote location comprising:

a plurality of geographically dispersed ICU's;

a single remote command center for managing healthcare at said plurality of ICU's; and

at least one network;

wherein said plurality of ICU's [are electronically connected] include means for transmitting voice and data to said remote command center by the at least one network,

and wherein said remote command center further comprises a computerized patient care management system adapted for proactive monitoring and [treating] intervention for individual patients at any of said plurality of geographically dispersed ICU's [for intensivist monitoring of the plurality of health care locations 24 hours per day, seven days per week] triggered by evidence-based data-driven feedback.

17.   (Twice amended) The system for providing continuous[,] and proactive expert network health care services from a remote location of claim 15 wherein said computerized patient care management system further comprises a data server/data warehouse for storing and analyzing data from the remote command center.

18.   (Twice amended) The system for providing continuous[,] and proactive expert network health care services from a remote location of claim 15 wherein each of the plurality of geographically dispersed ICU's further comprises patient monitoring equipment electronically connected to the remote command center over the network.

19.   (Twice amended) The system for providing continuous[,] and proactive expert network health care services from a remote location of claim 18 wherein each geographically dispersed ICU further comprises a nurses' station electronically connected

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to said monitoring equipment and to the remote command center over the at least one network.

21.   (Twice amended) The system for providing continuous[,] and proactive expert network health care services from a remote location of claim 15 wherein said computerized patient care management system further comprises a relational database storing a plurality of decision support algorithms [for intensivists] and means for prompting [intensivists to provide] proactive care to patients based upon the any of the decision support algorithms.

22.   (Twice amended) The system for providing continuous[,] and proactive expert network health care services from a remote location of claim 21 wherein said decision support algorithms include algorithms for treating:
Acalculous Cholecystitis, Acute Pancreatitis Algorithm, Acute Renal Failure-Diagnosis, Acute Renal Failure-Management & Treatment, Adrenal Insufficiency, Agitation and Anxiety, Depression & Withdrawal, Aminoglycoside Dosing and Therapeutic Montoring, an Amphotericin-B Treatment Guidelines, Analgesia, Antibiotic Classification & Costs, Antibiograms Algorithm, Antibiotic associated Colitis Algorithm, ARDS: Hemodynamic Management, ARDS: Steroid Use, ARDS: Ventilator Strategies, Asthma, Bleeding Patient, Bloodstream Infections, Blunt Cardiac Injury, Bradyarrhythmias, Brain Death, Bronchodilator Use in Ventilator Patients, Bronchoscopy & Thoracentesis Guidelines, Candiduria, Cardiogenic Shock, CardioPulmonary Resuscitation Guideline, Catheter Related Septicemia, a Catheter Replacement Strategies, Cervical Cord Injury, Congestive Heart Failure , Copd Exacerbation & Treatment, CXR (Indications), Dealing with Difficult patients and families, Diabetic Ketoacidosis, Dialysis, Diurectic Use, Drug Changes with Renal Dysfunction, Emergency Cardiac Pacing, Endocarditis Diagnosis and Treatment, Endocarditis Prophylaxis, End of Life Decisions, Endotracheal Tubes & Tracheotomy, Ethical Guidelines, Febrile Neutropenia, FUO, Fluid Resusditation, Guillain-Barre Syndrome, Heparin, Heparin-Induced Thrombocytopenia, Hepatic Encephalopathy, Hepatic Failure, HIV + Patent Infections, Hypercalcemia Diagnosis and Treatment, Hypercalcemia Insulin Treatment, Hyperkalemia : Etiology &

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Treatment, Hypernatremia : Etiology & Treatment, Hypertensive Crisis, Hypokalemia : Etiology & Treatment, Hyponatremia : Etiology & Treatment, Hypothermia, Identification of Cervical Cord Injury, Implantable Cardio-defibrillator, Intra-Aortic Balloon Device, Intracerebral Hemorrhage, Latex Allergy, Magnesium Administration, Management of Hypotension, Inotropes , Management of Patients with Ascites, Empiric Meningitis, Meningitis,a Myasthenia Gravis, Myocardial Infarction, Myocardial Infarction with left bundle branch block, Necrotizing Soft Tissue Infections, Neuromuscular Blockers, Neuromuscular Complcations of Critical Illness, Non-Infectious Causes of Fever, Non-Traumatic Coma, Noninvasive Modes of Ventilation, Nutritional Management, Obstertrical Complication, Oliguria, Oliguria, Open Fractures, Open Fractures, Ophthalmic Infections, Organ Procurement Guidelines, PA Catheter Guideline and Troubleshooting, Pancreatitis, Penetrating Abdominal Injury, Penetrating Chest Injury, Penicillin Allergy, Penicillin Allergy, Permanent Pacemaker and Indications, Pneumonia Community Acquired, Pneumonia Hospital Acquired, Post-Op Bleeding, Post-Op Hypertension, Post-Op Hypertension , Post-Op Management of Abdominal, Post-Op Management of Carotid, Post-Op Management of Open Heart, Post-Op Management of Thoracotomy, Post-Op Myocardial Ischemia (Non-Cardiac Arrhythmias after Cardiac Surgery), Post-Op Power Weaning, Pressure Ulcers, Pulmonary Embolism Diagnosis, Pulmonary Embolism Treatment, Respiratory Isolation, Sedation, Seizure, Status Epilepticus, Stroke, Sub-Arachnoid Hemorrhage, Supra-Ventricular Tachyarrythmia, Supra-Ventricular Tachycardia, Wide Complex QRS Tachycardia, Therapeutic Drug Montoring, Thrombocytopenia, Thrombolytic Therapy, Transfusion Guidelines, Traumatic Brain Injury, Assessment of Sedation, Sedation, Septic Shock, Bolus Sliding Scale Midazolam, Short Term Sedation Process, Sinusitis, SIRS, Spinal Cord Injury, Steroid Replacement Strategy, Thyroid Disease, Transplant Infection Prophylaxis, Transplant Related Infections, Treatment of Airway Obstruction,Unknown Poisoning, Unstable Angina, Upper GI Bleeding Stress Prophylaxis, Vancomycin, Upper GI Bleeding Non-Variceal, Upper GI Bleeding Variceal , Use of Hematopoetic Growth Factors, Ventialtor Weaning, Ventialtor Weaning Protocol, Venous Thrombosis Diagnostic and Treatment, Venous

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Thromboembolism Phrophylaxis, Ventricular Arrythmia,   Warfarin, Warfarin Dosing, and Wound Healing Strategies.

23.   (Twice amended) The system for providing continuous[,] and proactive expert network health care services from a remote location of claim 15 wherein said computerized patient care management system further comprises order writing software means for providing knowledge-based recommendations and prescriptions for medication based upon the clinical data.

24.   (Twice amended) The system for providing continuous[,] and proactive expert network health care services from a remote location of claim 15 wherein said computerized patient care management system further comprises knowledge-based vital sign/hemodynamic algorithms that prompt said intensivist to engage in early, proactive intervention.

25.   (Twice amended) A method for providing continuous and proactive expert critical care comprising:

monitoring patients in a plurality of geographically dispersed ICU's;

communicating [the information] voice and data from [the] patient monitoring to a single remote command center over a first network;

receiving and analyzing the information from the patient monitoring at the remote command center over the first network; and

[providing guidance] proactively intervening from the remote command center [to] at the plurality of geographically dispersed ICU's [to take actions regarding] with patient care, wherein the [providing guidance] proactive intervention from the remote command center [further comprises an intensivist reviewing decision support algorithms for intensivists that provide guidance for treating a plurality of critical care conditions] is triggered by evidence-based data-driven feedback from decision support algorithms.

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26.   (Twice amended) The method for providing continuous and proactive expert critical care of claim 25 wherein the decision support algorithms include algorithms for treating:

Acalculous Cholecystitis, Acute Pancreatitis Algorithm, Acute Renal Failure-Diagnosis, Acute Renal Failure-Management & Treatment, Adrenal Insufficiency, Agitation and Anxiety, Depression & Withdrawal, Aminoglycoside Dosing and Therapeutic Montoring, an Amphotericin-B Treatment Guidelines, Analgesia, Antibiotic Classification & Costs, Antibiograms Algorithm, Antibiotic associated Colitis Algorithm, ARDS: Hemodynamic Management, ARDS: Steroid Use, ARDS: Ventilator Strategies, Asthma, Bleeding Patient, Bloodstream Infections, Blunt Cardiac Injury, Bradyarrhythmias, Brain Death, Bronchodilator Use in Ventilator Patients, Bronchoscopy & Thoracentesis Guidelines, Candiduria, Cardiogenic Shock, CardioPulmonary Resuscitation Guideline, Catheter Related Septicemia, a Catheter Replacement Strategies, Cervical Cord Injury, Congestive Heart Failure , Copd Exacerbation & Treatment, CXR (Indications), Dealing with Difficult patients and families, Diabetic Ketoacidosis, Dialysis, Diurectic Use, Drug Changes with Renal Dysfunction, Emergency Cardiac Pacing, Endocarditis Diagnosis and Treatment, Endocarditis Prophylaxis, End of Life Decisions, Endotracheal Tubes & Tracheotomy, Ethical Guidelines, Febrile Neutropenia, FUO, Fluid Resusditation, Guillain-Barre Syndrome, Heparin, Heparin-Induced Thrombocytopenia, Hepatic Encephalopathy, Hepatic Failure, HIV + Patent Infections, Hypercalcemia Diagnosis and Treatment, Hypercalcemia Insulin Treatment, Hyperkalemia : Etiology & Treatment, Hypernatremia : Etiology & Treatment, Hypertensive Crisis, Hypokalemia : Etiology & Treatment, Hyponatremia : Etiology & Treatment, Hypothermia, Identification of Cervical Cord Injury, Implantable Cardio-defibrillator, Intra-Aortic Balloon Device, Intracerebral Hemorrhage, Latex Allergy, Magnesium Administration, Management of Hypotension, Inotropes , Management of Patients with Ascites, Empiric Meningitis, Meningitis,a Myasthenia Gravis, Myocardial Infarction, Myocardial Infarction with left bundle branch block, Necrotizing Soft Tissue Infections, Neuromuscular Blockers, Neuromuscular Complcations of Critical Illness, Non-Infectious Causes of Fever, Non-Traumatic Coma, Noninvasive Modes of Ventilation, Nutritional Management, Obstertrical Complication, Oliguria, Oliguria, Open Fractures,

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Open Fractures, Ophthalmic Infections, Organ Procurement Guidelines, PA Catheter Guideline and Troubleshooting, Pancreatitis, Penetrating Abdominal Injury, Penetrating Chest Injury, Penicillin Allergy, Penicillin Allergy, Permanent Pacemaker and Indications, Pneumonia Community Acquired, Pneumonia Hospital Acquired, Post-Op Bleeding, Post-Op Hypertension, Post-Op Hypertension , Post-Op Management of Abdominal, Post-Op Management of Carotid, Post-Op Management of Open Heart, Post-Op Management of Thoracotomy, Post-Op Myocardial Ischemia (Non-Cardiac Arrhythmias after Cardiac Surgery), Post-Op Power Weaning, Pressure Ulcers, Pulmonary Embolism Diagnosis, Pulmonary Embolism Treatment, Respiratory Isolation, Sedation, Seizure, Status Epilepticus, Stroke, Sub-Arachnoid Hemorrhage, Supra-Ventricular Tachyarrythmia, Supra-Ventricular Tachycardia, Wide Complex QRS Tachycardia, Therapeutic Drug Montoring, Thrombocytopenia, Thrombolytic Therapy, Transfusion Guidelines, Traumatic Brain Injury, Assessment of Sedation, Sedation, Septic Shock, Bolus Sliding Scale Midazolam, Short Term Sedation Process, Sinusitis, SIRS, Spinal Cord Injury, Steroid Replacement Strategy, Thyroid Disease, Transplant Infection Prophylaxis, Transplant Related Infections, Treatment of Airway Obstruction,Unknown Poisoning, Unstable Angina, Upper GI Bleeding Stress Prophylaxis, Vancomycin, Upper GI Bleeding Non-Variceal, Upper GI Bleeding Variceal , Use of Hematopoetic Growth Factors, Ventilator Weaning, Ventilator Weaning Protocol, Venous Thrombosis Diagnostic and Treatment, Venous Thromboembolism Phrophylaxis, Ventricular Arrythmia, Warfarin, Warfarin Dosing, and Wound Healing Strategies.

27.   (Twice amended) The method for providing continuous and proactive expert critical care of claim 25 further comprising a data server/ data warehouse storing and analyzing patient data from the command center and providing analysis of results over a second network to the command center.

28.   (New) The system for providing continuous and proactive expert network health care services from a remote location of claim 15 wherein the means for transmitting voice and data further comprises transmitting video.

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29   (New) <u>The method for providing continuous and proactive expert critical care of</u> <u>claim 25 further comprising communicating video from patient monitoring to a single</u> <u>remote command center over a first network.</u>

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